

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION08 cv 4260
08 cv 4260
JUDGE CONLON
MAG JUDGE NOLAN

CH

03CR 24860-02

ERNEST C. MOORE
PLAINTIFF

CASE#: 05CR-0241502

V

JUDGE: Hon. James F. Holderman

OFFICE OF THE MAYOR OF HARVEY-MAYOR OF HARVEY
HARVEY POLICE DEPT. HEADQUARTERS-SUPERINTENDANT,
DISTRICT OF POLICE OFFICERS THAT ARRESTED ME,
DETECTIVE GBUR, DETECTIVE WILLIAM MARTIN #149,
COOK COUNTY STATE' ATTORNEY'S OFFICE-RICHARD DEVINE,
COOK COUNTY DEPT. OFF CORRECTIONS-COOK COUNTY SHERIFF,
ATTORNEY DENNIS DOHERTY, ILLINOIS DEPT. OF CORRECTIONS-
ROGER WALKER

DEFENDANT(S)

RECEIVED
JUL 28 2008 LCW
JUL 28 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

x

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983 U.S.CODE (STATE-ILLINOIS,
COUNTY-COOK, MUNICIPAL-HARVEY OF THE DEFENDANTS)

A. NAME: ERNEST C. MOORE (FULL NAME: ERNEST CORTEZ MOORE)

B. LIST ALL ALIASES: N/A

C. PRISONER IDENTIFICATION NUMBER: R52641

D. PLACE OF PRESENT CONFINEMENT: DIXON CORRECTION CENTER

E. ADDRESS: 2600 N. BRINTON AVE, DIXON, IL 61021

II. DEFENDANT(S):

A. NAME: OFFICE OF THE MAYOR OF HARVEY-MAYOR OF HARVEY-*ERIC Kellog*

TITLE: MAYOR

PLACE OF EMPLOYMENT: OFFICE OF THE MAYOR OF HARVEY (*Under Federal investigation*) *Foul Play*

B. DEFENDANT: HARVEY POLICE DEPT. HEADQUARTERS-SUPERINTENDANT

TITLE: SUPERINTENDANT FOR THE HARVEY POLICE DEPARTMENT

PLACE OF EMPLOYMENT: HARVEY POLICE DEPT., 15301 DIXIE HIGHWAY, HARVEY, IL 6042-000 (*Under Federal investigation*) *Foul Play*

C. DEFENDANT: POLICE DISTRICT OF DETECTIVE GBUR AND DETECTIVE WILLIAM MARTIN#149

TITLE: IMMEDIATE SUPERVISOR OF POLICE OFFICERS

PLACE OF EMPLOYMENT: HARVEY POLICE DEPT., 15301 DIXIE HIGHWAY, HARVEY, IL 6042-000

D. DEFENDANT: DETECTIVE GBUR

TITLE: DETECTIVE OF THE HARVEY POLICE DEPT.

PLACE OF EMPLOYMENT: HARVEY POLICE DEPT., 15301 DIXIE HIGHWAY. HARVEY, IL 6042-000

E. DEFENDANT: DETECTIVE WILLIAM MARTIN#149

TITLE: DETECTIVE OF THE HARVEY POLICE DEPT.

PLACE OF EMPLOYMENT: HARVEY POLICE DEPT., 15301 DIXIE HIGHWAY, HARVEY, IL 6042-000

F. DEFENDANT: ATTORNEY DENNIS DOHERTY

TITLE: ATTORNEY AT LAW

PLACE OF EMPLOYMENT: 222 N. LA SALLE ST, SUITE 200, CHICAGO, IL 60601, (312)580-0935

G. DEFENDANT: COOK COUNTY STATE'S ATTORNEY'S OFFICE-RICHARD DEVINE

TITLE: STATE'S ATTORNEY FOR COOK COUNTY

PLACE OF EMPLOYMENT: 2650 S. CALIFORNIA AVE, CHICAGO, IL 60608

H. DEFENDANT: COOK COUNTY DEPT. OF CORRECTIONS-COOK COUNTY SHERIFF

TITLE: COOK COUNTY SHERIFF

PLACE OF EMPLOYMENT: 2650 S. CALIFORNIA AVE, CHICAGO, IL 60608

I. DEFENDANT: ILLINOIS DEPT. OF CORRECTIONS-ROGER WALKER

TITLE: EXECUTIVE DIRECTOR OF IDOC

PLACE OF EMPLOYMENT: 2600 N. BRINTON AVE, DIXON, IL 61021

III. LIST ALL LAWSUITS YOU HAVE FILED IN ANY STATE OR FEDERAL COURT IN THE UNITED STATES:

A. THROUGH I. NOT APPLICABLE. I HAVE NOT FILED A LAWSUIT OF THIS KIND BEFORE.

IV. STATEMENT OF CLAIM: OFFICE OF THE MAYOR OF HARVEY: FOR EMPLOYING THE POLICE DETECTIVES DETECTIVE GBUR AND DETECTIVE WILLIAM MARTIN#149, THAT ARRESTED ME, BEING RESPONSIBLE FOR THERE ~~UN~~ PROFESSIONAL PERORMANCE OR LACK THERE OF.

HARVEY POLICE DEPT. HEADQUARTERS: FOR BEING THE GENERAL SUPERVISOR OF DETECTIVES GBUR AND WILLIAM MARTIN#149.

POLICE DISTRICT OF DETECTIVES GBUR AND WILLIAM MARTIN#149: FOR BEING THE IMMEDIATE SUPERVISORS OF DETECTIVES GBUR AND WILLIAM MARTIN#149.

ATTORNEY DENNIS DOHERTY: BEING RESPONSIBLE FOR HIS PROFESSIONAL AND PERSONAL ACTIONS. **INEFFECTIVE ASSISTANCE OF COUNSEL:** AS A LICENSED ATTORNEY ~~HE~~ WAS SUPPOSE TO DO ALL THAT HE COULD WITH HIS KNOWLEDGE AND SKILL TO DEFEND ME FOR MY FREEDOM, I PAID HIM ALMOST \$25,000.00 FOR NOTHING BUT 30 YEARS IN PRISON, FOR A CRIME I HAD NO KNOWLEDGE OF AND I DID NOT COMMIT. I CONSTANTLY ASKED HIM FOR INFORMATION ABOUT MY CASE, I.E. ASKED FOR A RECEIPT OF A SURVEILLANCE TAPE, CLAIMING TO BE ALTERED INVOLVING ME BEING IN THE TAPE; HE DID NOT GIVE ME A RECEIPT UP-TO-DATE. IN 2½ YEARS AS MY ATTORNEY HE ONLY CAME TO VISIT AND MEET WITH ME 6 OR AT THE MOST 7 TIMES. ASKED HIM TO FILE A MOTION TO LIMIT PROSECUTION TO THE CHARGE THAT I WAS FACING AND HE DIDN'T DO IT AND DIDN'T EXPLAIN TO ME WHY HE DID NOT FILE IT. ASKED HIM TO HAVE MY BLOOD TEST DONE TO VERIFY MY BLOOD ALCOHOL LEVEL, AT THE TIME OF THIS CRIME AND HE DID NOT. EVERYTHING I ASKED HIM TO DO, I BELIEVED WAS GOIGN TO ASSIST IN MY DEFENSE AND HE DIDN'T DO IT, AS IF I WAS PAYING HIM TO HELP THE STATE'S ATTORNEY CONVICT ME. I PROBABLY WOULD HAVE BEEN BETTER OFF WITH A PUBLIC DEFENDER, WOULD HAVE BEEN CHEAPER FOR ONE. HE DID NOT CHALLENGE THE "EVIDENCE" AGAINST ME. ASKED HIM TO CHALLENGE THE LINE-UP I WAS FORCED INTO, DUE TO ME BELIVING IT WAS DISCRIMINATORY, HE, ONCE AGAIN DID NOT. HE DID NOT CHALLENGE MY ALLEGED CONFESSION, DUE TO ME BEING INTOXICATED AT THE TIME OF THE ALLEGED CONFESSION. HAD THE BLOOD TEST BEEN DONE (DO^U KNOW IF ONE WAS DONE OR NOT) THAT WOULD HAVE PROVEN I WAS NOT IN CONTROL OF MY MIND AT THE TIME OF THIS ALLEGED CONFESSION. HE DID NOT CHALLENGE MY DUE PROCESS BEING VIOLATED. **I'M CURRENTLY FILING A FORMAL COMPLAINT WITH THE ATTORNEY DISCIPLINARY COMMISSION OF THE ILLINOIS SUPREME COURT. DECEPTIVE PRACTICE:** DUE TO WHAT HAS BEEN PREVIOUSLY STATED, I BELIVE I WAS DECEIVED BY THIS "LAWYER". I SHOULD NOT HAVE BEEN ARRESTED, CHARGED, CONVICTED OR IMPRISONED FOR THIS CRIME AND THIS "LAWYER" IN MY OPINION DID NOT DO ALL THAT HE COULD TO ACQUIUT ME, IT'S SEEMS HE DID ALL THAT HE COULD TO ASSIST IN CONVICTING ME, WHILE GETTING PAID ALMOST \$25,000.00. **PAIN AND SUFFERING:** DUE TO THIS EXPERIENCE, I FEEL LIKE MY LIFE IS OVER AND RUINED, FOREVER. WHATEVER IS LEFT OF MY LIFE AFTER THIS, I WILL HAVE TO SALVAGE WHATEVER I CAN AND START ALL OVER WITH NOTHING. THIS SHOULD NOT HAVE HAPPENED TO ME AND HE SHOULD NOT CONTRIBUTED TO MY CONVICTION AND IMPRISONMENT.

DETECTIVE GBUR: HE GRABBED ME FORCEFULLY AND AGRRESSIVELY 'WHILE I WAS INTOXICATED' BY MY SHOULDER, POINTED HIS FINGER IN MY FACE AND SAID: "A PERSON IS DEAD!, THAT'S ALL I CARE ABOUT!" THREATENED TO PHYSICALLY ASSAULT ME, IF I DID NOT DO WHAT HE SAID. HE ~~WITNESSES~~ *Coerced* AGAINST ME.

DETECTIVE WILLIAM MARTIN#149: WRONGFUL ARREST AND DID NOT PREVENT DETECTIVE GBUR FROM ASSAULTING, THREATENING AND FORCING ME TO CONFESS, WHILE I WAS INTOXICATED.

COOK COUNTY STATE'S ATTORNEY-RICHARD DEVINE: KNOWINGLY, INTENTIONALLY AND WILLFULLY PROSECUTING AND COONTRIBUTING TO THE CONVICTION OF AN INNOCENT AMERICAN CITIZEN. MALICIOUS PROSECUTION. BEING RESPONSIBLE FOR HIS PROFESSIONAL AND PERSONAL ACTIONS.

COOK COUNTY DEPT. OF CORRECTIONS-COOK COUNTY SHERIFF: WRONFUL IMPRISONMENT

ILLINOIS DEPT. OF CORRECTIONS-ROGER WALKER: WRONGFUL IMPRISONMENT

RELIEF:

MAYOR'S OFFICE OF HARVEY: \$10,000,000.00

HARVEY POLICE DEPT. HEAD-QUARTERS: \$10,000,000.00

POLICE

POLICE DISTRICT OF DETECTIVES GBUR AND WILLIAM MARTIN#149: \$10,000,000.00

DETECTIVES GBUR AND WILLIAM MARTIN#149: \$5,000,000.00 EACH (\$10,000,000.00)

ATTORNEY DENNIS DOHERTY: \$25,000,000.00

OFFICE OF COOK COUNTY STATE'S ATTORNEY-RICHARD DEVINE: \$10,000,000.00

COOK COUNTY DEPT. OF CORRECTIONS-COOK COUNTY SHERIFF: \$5,000,000.00

ILLINOIS DEPT. OF CORRECTIONS-ROGER WALKER: \$5,000,000.00

TOTAL AMOUNT OF SUIT: \$85,000,000.00

VI. THE PLAINTIFF DEMANDS THAT THE CASE BE TRIED BY A JURY. X YES

CERTIFICATION

BY SIGNING THE COMPLAINT, I CERTIFY THAT THE FACTS STATED IN THIS ^{Complaint} ~~COMPLAINT~~ ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. I UNDERSTAND THAT IF THIS CERTIFICATION IS NOT CORRECT, I MAY BE SUBJECT TO SANCTIONS BY THIS COURT.

SIGNED THIS 30th DAY OF June, 2008


SIGNATURE OF PLAINTIFF

ERNEST C. MOORE

PRINT NAME

R52641

ID NUMBER

DIXON CORRECTION CENTER

2600 N. BRINTON AVE

DIXON, IL 6102

ADDRESS